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General Secretariat

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**MEETING DOCUMENT**

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| From: | General Secretariat of the Council |
| To: | Working Party on the Environment |
| N° Cion doc.: | ST 17010/25 INIT + ADD 1-6 |
| Subject: | CO2 in cars: WPE meeting on 10 March 2026: Presidency steering note |

With a view to the above mentioned meeting, delegations will find attached a steering note prepared by the Presidency.

# Working Party on the Environment (10 March 2026)

## Presidency steering note on $CO_2$ in cars and vans – further examination of Clusters 1,4,5

The Working Party on 10 March 2026 will be the fifth on the proposal and aims at discussing further the provisions included in clusters 1,4 and 5 with a view to subsequently stabilise those provisions via a compromise text. In this context, the Presidency has duly noted that many delegations maintain scrutiny reservations on all or some of the provisions.

The proposal along with the impact assessment was presented by Commission to the WPE on 13 January 2026. In a subsequent WPE on 26 January 2026, the proposal was further examined with the Commission replying to comments and questions from delegations. A first full examination of the proposal has already been completed during the WPE meetings on 9 and 25February 2026.

On 10 March 2026, the Presidency proposes to continue the examination of the provisions in clusters 1, 4 and 5. In order to steer discussions, the Presidency based on the discussion on 9 February 2026 has prepared the **table set out in the Annex**, which includes some questions related to the main elements of the provisions falling under these clusters. Delegations are invited to focus their interventions on these key questions.

The meeting will be followed by a **call for comments and for possible drafting suggestions** with a view to drawing up a first compromise text on the relevant provisions of clusters 1, 4 and 5 (details to follow).

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**Clusters 1, 4 and 5 – background with questions**

| Cluster | Background / Questions |
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| **Cluster 1: Scope and definitions** | |
| • **Article 2(1)(b):** Category N ZEVs | **<u>Commission Proposal</u>**<br>The proposal amends the scope to ensure that zero-emission vehicles of category N are counted as light commercial vehicles (vans) falling within the scope of this Regulation if their reference mass *minus the mass of the energy storage system* does not exceed 2840 kg.<br><br>**<u>Presidency assessment</u>**<br>There was broad support during the WPE to the Commission proposal.<br>***Do you support moving forward with the Commission proposal?*** |
| • **Article 3 (l) & (n-r):** Definitions | **<u>Commission Proposal</u>**<br>The proposal updates and adds several definitions:<br>• **"Test mass" (point l):** The definition is updated to refer to the test mass as defined in UN Regulation 154.<br>• **"Zero-emission vehicle" (point n):** Defined as a passenger car or light commercial vehicle with tailpipe emissions of 0 g CO2/km, as determined in accordance with the applicable EU type-approval procedure.<br>• **Labelling definitions (points o-r):** New definitions are added for "vehicle label", "point of sale", "promotional material", and "vehicle model" to support the new labelling provisions in the proposal. |

| Cluster | Background / Questions |
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| | **<u>Presidency assessment:</u>**<br>With regards to the definitions of *'test mass'*, *'vehicle label'*, *'point of sale'*, *'promotional material'*, *'vehicle model'* no major issues were raised by delegations. Conversely, views diverged regarding the definition of 'Zero-emission vehicle'. While a number of delegations advocated for an extension to include alternative fuels, others expressed a strong preference for the current 'tailpipe-only' definition. This issue is also closely linked to the discussion on the provisions on fuel credits and that the definition should be considered together with those provisions. However, delegations are invited to further clarify their position.<br><br>***Do you support moving forward with the Commission proposal definitions for <u>'test mass'</u>, <u>'vehicle label'</u>, <u>'point of sale'</u>, <u>'promotional material'</u>, <u>'vehicle model'</u>?*** |
| **Cluster 4: Vehicle labelling** | |
| • **Article 2(5):** Scope (Recital 16) | **<u>Commission Proposal</u>**<br>The proposal extends the scope of the labelling rules (Articles 15a and 15b) to cover all vehicles of categories M1 (passenger cars) and N1 (vans) that are type-approved under the WLTP (Worldwide harmonised Light vehicles Test Procedure). This extension explicitly includes light commercial vehicles and second-hand vehicles, which are not currently covered by the Car Labelling Directive.<br><br>**<u>Presidency assessment:</u>**<br>No major objections were raised by delegations during the WPE with regards to the extension of the scope of the labelling rules to cover all new vehicles of categories M1 and N1. Several delegations expressed concerns on the implementation as regards second-hand vehicles, taking into consideration that the COC may be unavailable for vehicles older than 10 years. |

| Cluster | Background / Questions |
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| | ***Could you agree to a way forward whereby labelling requirements are extended:***<br>***a) to vans***<br>***b) and to second hand vehicles provided that a solution is found for vehicles older than 10 years that will not put unnecessary costs and burdens on dealers?*** |
| • **Article 15a (1), (2), (5), (6):** Label Display and Promotional Requirements<br>• **Annex IIIa (Parts 1 & 2)**<br>(Recitals 17 & 19) | **<u>Commission Proposal</u>**<br>The proposal establishes specific obligations for the display and content of the vehicle label:<br>• **Point of Sale:** Distributors must attach or display the label in a clearly visible manner near each vehicle offered for sale or lease.<br>• **Battery State of Health:** For second-hand zero-emission or plug-in hybrid vehicles, distributors must inform buyers of the current "traction battery state of health" based on vehicle display data as required under the Euro 7 Regulation.<br>• **Promotional Material:** All promotional material, including online ads and configurators, must show the label or specific technical parameters. Vehicle configurators shall demonstrate how features affect the technical parameters. Online marketplaces must enable the display of this label.<br>• **Prohibition on Misleading Labels:** Labels that mimic the official label or are likely to confuse end-users are prohibited.<br>• **Label Content:** Annex IIIa, Parts 1 and 2, define the specific format and content, including a $CO_2$ emissions grading system. Information is to be based on the CoC.<br><br>**<u>Presidency assessment:</u>**<br>With regards to paragraphs 1,2,5,6, some delegations asked for clarification of the text. Some delegations called for additional information to be included in the label (information laid out in Annex IIIa Parts 1 & 2). Some delegations expressed concerns on the availability of the CoC for vehicles older than 10 years, where manufacturers are not obliged to provide the CoC. |

| Cluster | Background / Questions |
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| | a) ***Do you support the Commission proposal with regards to paragraphs 1,2,5,6? Where do you consider a clarification is needed?***<br>b) ***Do you support the Commission proposal with regards to the information required for the label in Annex IIIa Part 1 & 2. What, if any, additional information would be needed?***<br>c) ***As regards second vehicles older than 10 years, what do you see as possible solutions in case the CoC is not available?*** |
| • **Article 15a (3), (4), (7):** Product Database and Data Reporting<br>• **Annex IIIa (Part 3)**<br>(Recitals 18, 21) | **<u>Commission proposal</u>**<br>The proposal establishes the digital infrastructure for the new labelling regime:<br>• **Product Database:** The Commission must set up a publicly accessible product database within 12 months of the Regulation's entry into force.<br>• **Manufacturer Obligations:** Manufacturers are required to enter correct and accurate information for each vehicle model (as listed in Annex IIIa, Part 3) into this database without undue delay.<br>• **Delegated Acts (product database):** The Commission is empowered to adopt delegated acts to update data requirements and data parameters, and to specify the methodology for determining the optional "made in the EU" parameter.<br>**<u>Presidency assessment:</u>**<br>Delegations raised a number of questions on the added value of the database and on its implementation.<br>***Do you support the establishment of the product database as proposed by the Commission?*** |
| • **Article 15b:** Obligations of Member States | **<u>Commission Proposal</u>**<br>The proposal sets out the enforcement framework for the new labelling rules:<br>• **Market Surveillance Authority:** Member States must designate a market surveillance authority in accordance with Regulation (EU) 2019/1020 responsible for ensuring compliance with the labelling |

| Cluster | Background / Questions |
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| • **Article 2 (of amending Regulation):** Repeal | obligations. These authorities may recover the costs of document inspection in cases of non-compliance.<br>• **Penalties:** Member States must establish effective, proportionate, and dissuasive penalties and enforcement mechanisms for infringements. These rules must be notified to the Commission within 12 months of the Regulation's entry into force.<br><br>**<u>Presidency assessment:</u>**<br>With regards to the content of this article, no major objections were raised during the discussions at the WPE. With regards to the timeline, many delegations called for extending the 12-month period granted for Member States to notify the Commission of the rules and measures on penalties and enforcement mechanisms applicable to infringements of the provisions of vehicle labelling.<br><br>***What is your preference regarding the length of the period granted to Member States to notify the Commission of the rules and measures?*** |
| **Cluster 5: Horizontal and Other provisions** | |
| • **Recitals 1-4:** General context | **<u>Commission proposal</u>**<br>These recitals frame the proposal within the broader EU climate and industrial strategy:<br>• **Climate Neutrality**: References the binding objective of economy-wide climate neutrality by 2050 and the 2030 intermediate target enshrined in the European Climate Law.<br>• **Competitiveness & Just Transition**: Emphasizes the need to support industry competitiveness, ensure a just transition, and fair competition.<br>• **Clean Industrial Deal**: Links the proposal to the Clean Industrial Deal and the Industrial Action Plan for the automotive sector, highlighting support mechanisms like European content requirements and access to finance.<br>• **Sector Transformation**: Acknowledges the critical turning point for the automotive sector facing global competition and structural transformation. |

| Cluster | Background / Questions |
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| | **Presidency assessment:**<br><br>While only few delegations commented on these recitals, they seemed not to raise major concerns with a few delegations indicating that they may wish to add text. However, the Presidency considers it more useful to come back to these recitals at a later stage. |
| • **Article 7(5) & 7(6b):** Monitoring and Reporting<br><br>*(OEMs responsible for fewer than 1000 vehicles registered & Contact Point)* | **Commission proposal**<br><br>The proposal introduces two amendments to Article 7 regarding monitoring and reporting:<br>• **Connected Undertakings (Art. 7(5)):** Manufacturers responsible for fewer than 1,000 new passenger cars or vans registered in the Union in the previous calendar year must provide the Commission with complete information on any of their connected undertakings, unless previously notified and unchanged.<br>• **Contact Point (Art. 7(6b)):** A new obligation requires *each* manufacturer to appoint a specific contact point for the purpose of any correspondence related to monitoring and reporting.<br><br>**Presidency assessment:**<br>No objections were raised by delegations on article 7.<br>***a) Do you agree with the Commission's proposal to add a new obligation for manufacturers that may be eligible for an exemption to report connected undertakings and***<br>***b) Do you agree with the new obligation for all manufacturers to appoint a dedicated contact point?*** |
| • **Article 15(1):** Review clause<br>(Recital 11) | **Commission Proposal**<br><br>The proposal updates the review mechanism. In **2035** and every five years thereafter, the Commission shall assess the effectiveness of the Regulation in achieving zero-emission mobility.<br>Specific elements of this review include:<br>• Assessing the impact, feasibility, and appropriateness of including **local content requirements**. |

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| Cluster | Background / Questions |
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| | • Reviewing and amending the Regulation to maintain alignment with the **2050 climate neutrality binding objective**.<br><br>**<u>Presidency assessment:</u>**<br>Some delegations called for an earlier review ahead of 2035 with some others commenting on the content of the review.<br><br>***a) Do you support the Commission proposal with regards to the content of the review? What additional elements would you like to see in the review clause?***<br>***b) What preference do you have in terms of the timeline of the review?*** |
| • **Article 3 (of amending Regulation):** Entry into force and application | **<u>Commission proposal</u>**<br><br>The Regulation enters into force on the 20th day following its publication. However, specific application dates apply for certain provisions:<br><br>• **Super-credits for small ZEVs (Art. 1(5)):** These provisions will apply from **1 January of the year following the date of application of the automotive Omnibus**.<br><br>• **Vehicle Labelling and Repeal of Car Labelling Directive (Art. 1(11) & Art. 2):** These provisions will apply **12 months** after the entry into force of this Regulation.<br><br>**<u>Presidency assessment:</u>**<br>A number of delegations expressed the need to extend the timeline for application beyond the 12 months.<br>***a) Do you support the 12-month proposed timeline for the application of the labelling provisions or do you prefer a longer period and if so what timeline?***<br>***b) Do you support the proposed timeline for application of Article 5 (small EV super credits)?*** |